



PUBLIC NOTICE

**FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET, S.W.
WASHINGTON, D.C. 20554**

News media information 202/418-0500 Fax-On-Demand 202/418-2830 Internet: <http://www.fcc.gov> <ftp.fcc.gov>

**DA 09-1515
Released: July 9, 2009**

ATLANTIC TELE-NETWORK, INC. AND VERIZON WIRELESS SEEK FCC CONSENT TO ASSIGN OR TRANSFER CONTROL OF LICENSES AND AUTHORIZATIONS

WT Docket No. 09-119

PLEADING CYCLE ESTABLISHED

**Petitions to Deny Due: August 10, 2009
Oppositions Due: August 20, 2009
Replies Due: August 27, 2009**

I. INTRODUCTION

Atlantic Tele-Network, Inc. and certain of its subsidiaries ("ATN") and Cellco Partnership d/b/a Verizon Wireless and certain of its subsidiaries ("Verizon Wireless") (collectively, "the Applicants") have filed a series of applications pursuant to Sections 214 and 310(d) of the Communications Act of 1934, as amended.¹ In these applications, the Applicants seek Commission approval for the assignment or transfer of control of certain wireless licenses and related authorizations from subsidiaries of Verizon Wireless to a holding company to be indirectly owned by ATN. The Verizon Wireless subsidiaries will assign the relevant licenses and authorizations, or transfer interests in partnerships holding such licenses, to Adams Divestiture Company LLC ("Adams LLC"), a newly formed wholly-owned indirect subsidiary of Verizon Wireless. Simultaneously, Verizon Wireless will transfer its interest in Adams LLC to Atlantic Wireless Communications, LLC ("Atlantic Wireless"), a wholly-owned subsidiary of ATN, thereby causing control of Adams LLC, and all of its FCC licenses and authorizations and interests therein, to be transferred indirectly to ATN.

These assignment and transfer of control applications pertain to licenses for the Part 22 Cellular Radiotelephone Service, the Part 24 Personal Communications Service, the Part 27 Advanced Wireless Service, and the Part 101 Common Carrier Fixed Point-to-Point Microwave Service, as well as partial assignments of international Section 214 authorizations. The Applicants state that the proposed transaction will result in ATN acquiring control of wireless properties, including wireless spectrum licenses and network assets, serving over 800,000 subscribers across Georgia, Idaho, Illinois, Ohio, North Carolina, and South Carolina. The Applicants also state that the transaction will aid Verizon Wireless in

¹ 47 U.S.C. §§ 214, 310(d).

fulfilling its divestiture obligations under the Commission's order approving the merger of Verizon Wireless and ALLTEL Corporation.²

II. SECTION 310(d) APPLICATIONS

The following applications for consent to the full and partial assignment or transfer of control of certain licenses from Verizon Wireless subsidiaries to Adams LLC, as owned indirectly and controlled by ATN, have been assigned the file numbers listed below.

<u>File No.</u>	<u>Licensee</u>	<u>Lead Call Sign</u>
0003858519	ALLTEL Communications, LLC	KNLF884
0003858521 ³	ALLTEL Communications, LLC	KNKA436
0003859085	ID Holding, LLC	KNKR322
0003859164	Southern Illinois RSA Partnership d/b/a ALLTEL	KNKN506
0003859173	WWC Holding Co., Inc.	KNKN441
0003859183	WWC Holding Co., Inc.	WPZA513
0003860121	Alltel New License Sub, LLC	WQIF518
0003865503	Ohio RSA #3 Limited Partnership d/b/a ALLTEL	KNKQ312
0003865511	Ohio RSA 2 Limited Partnership dba ALLTEL	KNKN993
0003865513	Ohio RSA 5 Limited Partnership d/b/a ALLTEL	KNKN942
0003865517	Ohio RSA 6 Limited Partnership d/b/a ALLTEL	KNKN955
0003865570	Georgia RSA # 8 Partnership d/b/a ALLTEL	KNKN899

III. INTERNATIONAL SECTION 214 AUTHORIZATIONS

The following applications for consent to the partial assignment of international Section 214 authorizations held by certain Verizon Wireless subsidiaries to Adams LLC, as owned indirectly and controlled by ATN, have been assigned the file numbers listed below.

<u>File No.</u>	<u>Authorization Holder</u>	<u>Authorization Number</u>
ITC-ASG-20090616-00286	Alltel Communications, LLC	ITC-214-19960404-00138
ITC-ASG-20090616-00287	Western Wireless, LLC	ITC-214-20010427-00254

IV. EX PARTE STATUS OF THIS PROCEEDING

Pursuant to Section 1.1200(a) of the Commission's rules,⁴ the Commission may adopt modified or more stringent *ex parte* procedures in particular proceedings if the public interest so requires. We announce that this proceeding will be governed by permit-but-disclose *ex parte* procedures that are applicable to non-restricted proceedings under Section 1.1206 of the Commission's rules.⁵

² *Applications of Cellco Partnership d/b/a Verizon Wireless and Atlantis Holdings LLC*, WT Docket No. 08-95, Memorandum Opinion and Order, 23 FCC Rcd 17444 (2008) ("*Verizon-ALLTEL Order*"). Specifically, this proposed transaction would fulfill the required divestiture in 26 of the 105 CMAs set forth in the *Verizon-ALLTEL Order*.

³ This application is the lead application for the wireless radio services.

⁴ 47 C.F.R. § 1.1200(a).

⁵ *Id.* § 1.1206.

Parties making oral *ex parte* presentations are directed to the Commission's statement reemphasizing the public's responsibility in permit-but-disclose proceedings and are reminded that memoranda summarizing the presentation must contain the presentation's substance and not merely list the subjects discussed.⁶ More than a one- or two-sentence description of the views and arguments presented is generally required.⁷ Other rules pertaining to oral and written presentations are set forth in Section 1.1206(b) as well.⁸ We urge parties to use the Electronic Comment Filing System ("ECFS") to file *ex parte* submissions.⁹

V. GENERAL INFORMATION

The assignment and transfer of control applications referenced herein have been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules or policies. Final action on these applications will not be taken earlier than thirty-one days following the date of this Public Notice.¹⁰

Interested parties must file petitions to deny no later than August 10, 2009. Persons and entities that file petitions to deny become parties to the proceeding. They may participate fully in the proceeding, including seeking access to any confidential information that may be filed under a protective order, seeking reconsideration of decisions, and filing appeals of a final decision to the courts. Oppositions to such pleadings must be filed no later than August 20, 2009. Replies to such pleadings must be filed no later than August 27, 2009. All filings concerning matters referenced in this Public Notice should refer to DA 09-1515 and WT Docket No. 09-119, as well as the specific file numbers of the individual applications or other matters to which the filings pertain.

Under the Commission's current procedures for the submission of filings and other documents,¹¹ submissions in this matter may be filed electronically (*i.e.*, through ECFS) or by hand delivery to the Commission's Massachusetts Avenue location.

- **If filed by ECFS,**¹² comments shall be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the

⁶ See Commission Emphasizes the Public's Responsibilities in Permit-But-Disclose Proceedings, *Public Notice*, 15 FCC Rcd 19945 (2000).

⁷ See 47 C.F.R. § 1.1206(b)(2).

⁸ *Id.* § 1.1206(b).

⁹ See discussion *infra* Part V.

¹⁰ See 47 U.S.C. § 309(b).

¹¹ See Implementation of Interim Electronic Filing Procedures for Certain Commission Filings, *Order*, 16 FCC Rcd 21483 (2001); see also FCC Announces a New Filing Location for Paper Documents and a New Fax Number for General Correspondence, *Public Notice*, 16 FCC Rcd 22165 (2001); Reminder: Filing Locations for Paper Documents and Instructions for Mailing Electronic Media, *Public Notice*, 18 FCC Rcd 16705 (2003).

¹² See Electronic Filing of Documents in Rulemaking Proceedings, GC Docket No. 97-113, *Report and Order*, 13 FCC Rcd 11322 (1998).

following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply.

- **If filed by paper**, the original and four copies of each filing must be filed by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

One copy of each pleading must be delivered electronically, by e-mail or facsimile, or if delivered as paper copy, by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (according to the procedures set forth above for paper filings), to: (1) the Commission's duplicating contractor, Best Copy and Printing, Inc., at FCC@BCPIWEB.COM or (202) 488-5563 (facsimile); (2) Erin McGrath, Mobility Division, Wireless Telecommunications Bureau, at erin.mcgrath@fcc.gov or (202) 418-7447 (facsimile); (3) Stacy Ferraro, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, at stacy.ferraro@fcc.gov or (202) 418-7447 (facsimile); (4) David Krech, Policy Division, International Bureau, at david.krech@fcc.gov or (202) 418-2824 (facsimile); and (5) Neil Dellar, Office of General Counsel, at neil.dellar@fcc.gov or (202) 418-1234 (facsimile).

Copies of the applications and any subsequently-filed documents in this matter may be obtained from Best Copy and Printing, Inc. in person at 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, via telephone at (202) 488-5300, via facsimile at (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM. The applications and any associated documents are also available for public inspection and copying during normal reference room hours at the following Commission office: FCC Reference Information Center, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. The applications are also available electronically through the Commission's ECFS, which may be accessed on the Commission's Internet website at <http://www.fcc.gov>. In addition, applications filed under Parts 22, 24, 27, and 101 of the Commission's rules are available electronically through ULS, which may be accessed on the Commission's Internet website. Additional information regarding the transaction will be available on the FCC's Office of General Counsel's website, <http://www.fcc.gov/ogc>, which will contain a fully indexed, unofficial listing and electronic copies of all materials in this docket. Alternate formats of this public notice (computer diskette, large print, audio recording, and Braille) are available to persons with disabilities by contacting Brian Millin at (202) 418-7426 (voice), (202) 418-7365 (TTY), or by sending an e-mail to access@fcc.gov.

For further information, contact Erin McGrath, Mobility Division, Wireless Telecommunications Bureau, at (202) 418-2042, or Stacy Ferraro, Spectrum Competition and Policy Division, Wireless Telecommunications Bureau, at (202) 418-0795.

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